GOVERNMENT OF AHDHRA PRADESH

ABSTRACT

PUBLIC SERVICES– Water Resources Department – Vigilance and Enforcement-Disciplinary Proceedings initiated against Sri Abdul Azeem, Deputy Executive Engineer(Retd) for the allegations of irregularities in execution of the work "Dredging Pedalanka Major Drain from km (-) 5.500 to Km (+)4.500" under Modernization Krishna Delta System-Finalization of disciplinary proceedings by imposing a penalty of (2%) cut in pension for period of two(2) years against him under rule 9 of APRP Rules 1980 – Orders – Issued.

WATER RESOURCES (Vig.II-V&E.2) DEPARTMENT

G.O.RT.No. 63 Dated: 03-02-2020

Read the following:-

1. From Sri D.Umamaheswara Rao, the then MLA Mylavaram, Krishna District letter dated:Nil.
2. From Sri Yerneni Nagendranath, President, Farmers Federation, AP, representation, dated.17.4.2012.
3. Govt. Memo.No 9851/Ser.X.2/2012-1, dated:20.04.2012
4. From the ENC(I) Hyd. Lr.No. ENC(I)/DCE.IV /OT7 /SO7/ 9851/ 2012, dated:09.05.2012
5. G.O.Rt.No.638, I&CAD(Ser-X.2) Dept., dated: 04.06.2012
6. From Sri Abdul Azeem D.E.E(Retd) Written statement of defence, dated: 25.07.2012.
7. G.O.Rt.No.938, I&CAD(Ser.X-2)Dept., dated: 29.08.2012
8. From the CE, Krishna Delta System, Vijayawada, letter No.CE/ KDS /VJA/Supdt.EC.I, dt. 5.10.2012
9. G.O.Rt.No.1180, I&CAD(Ser.X-2)Dept., dated:26.10.2012.
10. From the ENC, ISPP, Dowlaiswaram Lr.No. Rc.ENC /ISPP /Sn.D /D.1/ 640/ 2012, dated:29.11.2012
11. Govt. Memo.No 9851/Ser.X.2/2012-12,dated: 27.07.2013
12. From the ENC, ISPP, Dowlaiswaram Lr.No. Rc.ENC / ISPP/ Sn.D /D.1 / 640/ 2013, dated:09.01.2014.
13. From the General Admn.(Vig.&Enft.)Dept., Vigilance Report no.35 (C.No.408/V&E/E1/2012) dated:08.12.2014.
14. G.O.Rt.No.129, Water Resources(Vig.II(V&E-2)Dept., dated: 12.02.2016.
15. From Sri Abdul Azeem D.E.E(Retd), Written Statement of defence, dated:15.04.2019
16. G.O.Rt.No.743, Water Resources (Vig.II(V&E-2)) Dept., Dated: 07.12.2016
17. G.O.Rt.No. 674, Water Resources (Ser.II)Dept., Dated: 26.11.2017.
18. G.O.Rt.No.335, Water Resources (Vig.II(V&E-2)) Dept., Dated:07.05.2018
19. From the CE,HRD, Letter No.CE/HRD/Inquiry Report, dated: 07.09.2018
20. Govt.Memo.No.17253/Vig.II(V&E-2)/2014-4, dated: 29.10.2018
21. From Sri Abdul Azeem D.E.E(Retd), Explanations, dated: 12.12.2018
22. Govt.Memo.No.17253/Vig.II-V&E-2/2014-5, dated: 12.07.2019
23. From Sri Abdul Azeem D.E.E(Retd), Explanations, dated: Nil.
24. Govt.Letter.No.17253/Vig.II-V&E-2/2014-6, dated: 23.09.2019
25. From the Secretary, APPSC, C.No.502/DC&C/2019, dated: 24.12.2019

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In the references 1st & 2nd read above, it was brought to the notice of the Government that many allegations about fraudulent measurement of dredging work on Pedalanka drain appeared in the local press. The Pedalanka Drain Modernization is a part of the Krishna Delta Modernization works. It was alleged that the value of work actually done by the concerned contractor was about 30.00 lakhs, but the concerned engineers recorded works valued about ₹.11.45 crore to favour the contractor.Bills had been presented to the Pay & Account Officer based on these measurements.However, the bills were withdrawn after the media coverage. During the Public Account Committee meeting held on 17.4.2012, the Committee asked the Department to constitute a technical team consisting of experienced and senior engineers to inspect the work and verify the measurements.

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2. In the reference 3rd read above, the Engineer-in-Chief (Irrigation), has been directed to constitute a Senior Technical Team (STT) to inspect the Pedalanka drain, oversee a repeat post dredging survey, inspect disposed material arising from dredging(spoils), compare with recorded measurements, and report discrepancies if any along with their estimate of financial implications. The repeat post dredging survey must adopt the relevant specifications of the post dredging survey as in the agreement, and in addition, may adopt more accurate technologies for comparative purpose.

3. In the reference 4th read above, the Engineer-in-Chief (Irrigation), has reported that as per the instructions of the Govt., the Senior Technical Team (STT) was constituted vide Memo. dated:21.04.2012 with Sri B. Yella Reddy, the then Superintending Engineer, Sri B.Yeshu Babu, the then Executive Engineer & Sri V. Srinivas, the then Dy.Executive Engineer and He has also stated that team consisting of three Engineering officials inspected site and conducted field operations and submitted a detailed report, stating that the concerned Asst. Executive Engineers, Dy. Executive Engineer and Executive Engineer are the responsible for the excess payments made to the contractor. After detail examination of the report have found that Viz. (1) Sri S. Umashankar, A.E.E., (2) Sri S.Ramakrishna Rao, A.E.E (3) Sri Abdul Azeem D.E.E, (4) Sri L. Chakradharam, E.E., are prima facie responsible for the said irregularities:

4. In the reference 5th read above, articles of charges were issued against Sri Abdul Azeem D.E.E(Retd) for the allegations of irregularities in execution of the work "Dredging Pedalanka Major Drain from km (-) 5.500 to Km (+)4.500" under Modernization Krishna Delta System and in the reference 6th read above, the above said charged officer have submitted their written statement of defence.

5. In the reference 7th read above, Sri D. Sambaiah, the then i/c. Chief Engineer, Krishna Delta Systems, Vijayawada, was appointed as Inquiring Authority to inquire into the charges framed against the above said charged officer along with other officers.

6. In the reference 8th read above, Sri D. Sambaiah, the then i/c. Chief Engineer, Krishna Delta Systems, Vijayawada has informed that being the Chief Engineer in-charge of Modernization of Krishna delta system, Vijayawada, it may not appropriate to conduct inquiry into the charges framed against the Engineering officials and requested to exempt him from I.A. for the said subject and issue necessary orders.

7. In the reference 9th read above, the Engineer-in-Chief, Indira Sagar Polavaram Project, Dowlaiswaram was appointed as Inquiring Authority to inquire into the charges framed against Abdul Azeem D.E.E(Retd) for the irregularities in the works of drain dredging in Pedalanka major drain at KM 5.500 to KM +4.50 in Kruthivennu and Kaikaluru Modernization of Krishna District, based on the Senior Technical Team report.

8. In the reference 10th read above, the Engineer-in-Chief, ISPP, Dowlaiswaram has informed that he was busy with other works and requested/suggested to appoint Enquiry Officer in the cadre of Superintending Engineer, as the charged officers of Executive Engineer and below cadre engineers.

9. In the reference 11th read above, after careful examination of the matter, it was decided to continue the Engineer-in-Chief, ISPP, Dowlaiswaram as Inquiring Authority in this case and accordingly, he was directed to continue and complete the enquiry as ordered and submit his report to the Government within the stipulated time.

10. In the reference 12th read above, the inquiring authority has informed that inquiry was conducted on 11.02.2013, 28.05.2013, 15.07.2013. During the course inquiry the charged officers wanted to cross examine the Senior Technical Team Members. Accordingly, Senior Technical Team Members were addressed to attend inquiry for cross examination. But no response is received from Senior Technical Team Members till date and the ENC(Irrigation) was requested to instruct the Senior Technical Team Members to attend for cross examination by the charged officers in next inquiry without fail.

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11. While the disciplinary proceedings have been continuing based on the report of the above said Senior Technical Team, the General Administration (Vigilance & Enforcement) Department have furnished Vigilance Report on the allegations of irregularities in Allegations of irregularities in execution of the work "Dredging Pedalanka Major Drain from km (-) 5.500 to Km (+) 4.500" under Modernization Krishna Delta System in the reference 13th cited read above.

12. In the reference 14th read above, additional article of charges were issued to the above said charged officer for the allegations of irregularities in execution of the work "Dredging Pedalanka Major Drain from km (-) 5.500 to Km (+) 4.500" under Modernization Krishna Delta System duly consulting the Advisory Authorities. In the reference 15th cited, the above charged officer has submitted his written statement of defence.

13. After examination of the matter, have decided and accordingly hereby change the Inquiry Authority and appoint Sri V.Veerraju, Chief Engineer(Projects) I/C, Ongole as Inquiring Authority in place of the Engineer-In-Chief, the then ISPP, Dowlaiswaram, to continue the inquiry proceedings along with the additional articles of charges issued to the said charged officers and submit his report within two months in the prescribed proforma, as per the orders issued in G.O.Ms.No.679, G.A. (Ser.C) Department, dated 01.11.2008 and Circular Memo No.56183/Ser.C/99, G.A. (Ser.C) Department, dated 15.10.1999 and avoid delay in the matter duly keeping in view that the inquiry has already been delayed in the reference 16th read above. Consequently the Engineer-in-Chief, Polavaram Irrigation Project, Dowlaiswaram, East Godavari District was directed to handover the entire records pertaining to the inquiry to Sri V.Veerraju the then Chief Engineer (Project) Ongole and the I.A. so as to enable to continue the inquiry and submit the inquiry report.

14. In the reference 17th read above, Sri V.Veerraju, the then Chief Engineer(Projects) I/C, Ongole has not found to within zone of consideration for the promotion to the post of Chief Engineer, though he was working as I/c Chief Engineer and directed to get himself relieved from his in-charge arrangement immediately and report to the Government for further posting orders, in order to compliance to the Hon'ble Supreme Court of India Order dated: 18.02.2016 in Civil Appeal No.4142 of 2004 and Order dated: 14.07.2017 in Contempt Petition (C) No.770/2016.

15. After careful re-examination of the matter have decided and accordingly changed the Inquiry Authority and appointed the Chief Engineer, Human Resources Development, Vijayawada as Inquiry Authority in place of Sri V.Veerraju, the then Chief Engineer(Projects) I/c, Ongole, to continue the inquiry proceedings along with the additional articles of charges issued to the said charged officer and submit his report within two months in the prescribed proforma, as per the orders issued in G.O.Ms.No.679, G.A. (Ser.C) Department, dated 01.11.2008 and Circular Memo No.56183/Ser.C/99, G.A. (Ser.C) Department, dated 15.10.1999, in the reference 18th cited.

16. In the reference 19th read above, the Chief Engineer, Human Resources Development, Vijayawada and the Inquiring Authority has submitted the inquiry report and reporting that the charges.I,II,III&IV framed against the above charged officer are held proved.

17. In the reference 20th read above, while communicating a copy of the Inquiry Report, the Charged Officer was directed to submit his explanation, if any, on the findings of the Inquiry Authority. In the reference 21st cited, the charged officer has submitted his representation on the findings of the Inquiry Authority.

18. After examination of the Inquiry Report and the material made available, it is provisionally decided to impose a penalty of (2%) cut in pension for period of two(2) years against Sri Abdul Azeem D.E.E(Retd) for the allegations of irregularities in execution of the work "Dredging Pedalanka Major Drain from km (-) 5.500 to Km (+)4.500" under Modernization Krishna Delta System.

(p.t.o.)

19. In the reference 22nd read above, a show cause notice under Rule 9 of APRP Rules 1980 has been issued against Sri Abdul Azeem Deputy Executive Engineer (Retd) with a direction to show cause as to why a penalty of (2%) cut in pension for period of two(2) years shall not be imposed on him within (10) days from the date of receipt of this Memo., failing which it will be construed that he has no explanation to offer and necessary further action will be taken against him as per the material available on record with the Government and he has also submitted his written explanation in the reference 23rd read above and he has accepted the proposed penalty against him and requested to regularize the suspension period from 12.05.2012 to 31.05.2012.

20. Government, after careful examination of the entire issue have decided to confirm the provisional decision i.e. to impose a penalty of (2%) cut in pension for period of two(2) years under rule 9 of APRP Rules 1980 for the allegations of irregularities in execution of the work "Dredging Pedalanka Major Drain from km (-) 5.500 to Km (+)4.500" under Modernization Krishna Delta System.

21. In the reference 24th read above, the Secretary, Andhra Pradesh Public Service Commission, Vijayawada has been requested to place the proposal of the Department i.e. to impose a penalty of (2%) cut in pension for period of two(2) years under rule 9 of APRP Rules 1980 against Sri Abdul Azeem Deputy Executive Engineer (Retd) before the Commission and communicate their concurrence.

22. In the reference 25th read above, the Secretary, Andhra Pradesh Public Service Commission, Vijayawada has informed that the Commission have agreed with the proposal of the department to impose a penalty of (2%) cut in pension for period of two(2) years under rule 9 of APRP Rules 1980 against Sri Abdul Azeem Deputy Executive Engineer (Retd).

23. Government, after careful examination of the entire issue, hereby impose a penalty of (2%) cut in pension for period of two(2) years against Sri Abdul Azeem, Deputy Executive Engineer (Retd) under Rule 9 of APRP Rules, 1980, for the allegations of irregularities in execution of the work "Dredging Pedalanka Major Drain from km (-) 5.500 to Km (+)4.500" under Modernization Krishna Delta System, duly regularizing the suspension period from 12.05.2012 to 31.05.2012 as Extraordinary Leave under Rule 54 B(7) of FR.

12. The Engineer-in-Chief (Admn.Wing), Water Resources Department, Vijayawada / the Water Resources (Ser.I) Department shall take necessary action accordingly, duly confirming the period of suspension.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYANATH DAS
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri Abdul Azeem Deputy Executive Engineer (Retd)**through** the Engineer-in-Chief (AW), Water Resources Department, A.P.,Vijayawada.
The Engineer-in-Chief (AW),Water Resources Department, Vijayawada.
Copy to:
The Accountant General, Andhra Pradesh, Hyderabad.
The Secretary, Andhra Pradesh Public Service Commission, New Government Offices Building 2nd Floor, M.G. Road(Bandhar Road), Opp: Indira Gandhi Municipal Complex, Vijayawada-520 010. Andhra Pradesh.
The Secretary, AP Vigilance Commission, AP Secretariat, Velagapudi, Amaravati.
The Director General and Ex-Officio Principal Secretary to Government, the General Administration (Vigilance & Enforcement) Department, 2nd Floor, Dr.NTR Administrative Block, P.N.Bus Station, Vijayawada-520002, Krishna District.
The Water Resources (Ser.I) Department.
SF / SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER